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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
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Fort Collins, CO 80528-9599

EXAMINER

LEE, PHILIP C

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/770,556

Applicant(s)

KRISHNAN ET AL.

Examin r

Philip C Lee

Art Unit

2154

-- Th MAILING DATE of this communication appears on th cov r sheet with the correspond nce address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2154

1. This action is responsive to the amendment and remarks filed on August 11, 2004.
2. Claims 18-34 are presented for examination and claims 1-17 are cancelled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.
4. The amendment filed August 11, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: a memory for automatically storing said web address and a preference control for organizing said portable device transfer of said web address to said second Internet appliance in a selected order. Applicant is required to cancel the new matter in the reply to this Office Action.
5. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
6. Claims 18, 24 and 30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains,

or with which it is most nearly connected, to make and/or use the invention. The specification fails to teach a memory for automatically storing said web address and a preference control for organizing said portable device transfer of said web address to said second Internet appliance in a selected order.

Claim Rejections – 35 USC 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 18-22, 24-28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser et al, U.S. Patent 5,982,520 (hereinafter Weiser) in view of Utsumi, U.S. Patent 6,243,741 (hereinafter Utsumi).

9. Weiser and Utsumi were cited in the last office action.

10. As per claims 18, Weiser taught the invention substantially as claimed for wirelessly interacting with an Internet appliance, said device comprising:

a receiver for wirelessly receiving digital information from a first Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25);
a memory for automatically storing said digital information received from said first Internet appliance (col. 5, lines 19-25); and
a transmitter for wirelessly providing said digital information to a second Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25).

11. Weiser did not specifically detailing types of digital information. Utsumi taught transmitting a web address (URL) for Internet broadcast television program (col. 5, lines 52-55; col. 7, lines 22-42). Utsumi further taught a preference control for organizing said portable device transfer of said web address for said Internet broadcast television program (comprised both audio and video broadcast) to said second Internet appliance in a selected order (col. 7, lines 37-42, 50-52).

12. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Weiser and Utsumi because Utsumi's teaching of transmitting a web address would increase the user flexibility of Weiser's system by allowing remote transmission of web address (URL) to an Internet television for accessing the Internet (col. 7, lines 22-31).

13. As per claim 24, Weiser taught the invention substantially as claimed for wirelessly interacting with an Internet appliance, said device comprising:

a receiver for wirelessly receiving digital information from a first Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25);
a memory for automatically storing said digital information received from said first Internet appliance (col. 5, lines 19-25); and
a transmitter for wirelessly providing said digital information to a second Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25).

14. Weiser did not specifically detailing types of digital information. Utsumi taught transmitting a web address (URL) for Internet broadcast television program (i.e. comprised both Internet audio and video broadcast) (col. 6, lines 14-15; col. 5, lines 52-55; col. 7, lines 22-42). Utsumi further taught a preference control for organizing said portable device transfer of said web address for said Internet broadcast television program to said second Internet appliance in a selected order (col. 7, lines 37-42, 50-52).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Weiser and Utsumi because Utsumi's teaching of transmitting a web address would increase the user flexibility of Weiser's system by allowing remote transmission of web address (URL) to an Internet television for accessing the Internet (col. 7, lines 22-31).

16. As per claim 30, Weiser taught the invention substantially as claimed for wirelessly interacting with an Internet appliance comprising:

receiving a web address from a first Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25);
storing said web address received from said first Internet appliance on said portable device (col. 5, lines 19-25), wherein said portable device is a key chain tag-sized device (fig.2; col. 3, lines 3-10; col. 4, lines 54-col. 5, lines 4); and
providing said web address to a second Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25).

17. Weiser did not specifically detailing types of digital information. Utsumi taught transmitting a web address (URL) for Internet broadcast television program (i.e. comprised both Internet audio and video broadcast) (col. 6, lines 14-15; col. 5, lines 52-55; col. 7, lines 22-42). Utsumi further taught organizing said portable device transfer of said web address for said Internet broadcast television program to said second Internet appliance in a selected order (col. 7, lines 37-42, 50-52).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Weiser and Utsumi because Utsumi's teaching of transmitting a web address would increase the user flexibility of Weiser's system by allowing remote transmission of web address (URL) to an Internet television for accessing the Internet (col. 7, lines 22-31).

Art Unit: 2154

19. As per claims 19, 25 and 31, Weiser and Utsumi taught the invention substantially as claimed in claims 18, 24 and 30 above. Weiser further taught a user interface to cause the transmitter or receiver to transmit or receive the web address for said Internet audio/video broadcast in response to a user control command received from the user interface (fig. 2; col. 3, lines 3-10; col. 4, lines 54-67; col. 3, lines 18-22, 52-53; col. 6, lines 59-62).

20. As per claims 20 and 26, Weiser and Utsumi taught the invention substantially as claimed in claims 18 and 24 above. Weiser further taught wherein said portable device is a key chain tag-sized device (fig. 2; col. 3, lines 3-10; col. 4, lines 54-col. 5, lines 4).

21. As per claims 21, 27 and 32, Weiser and Utsumi taught the invention substantially as claimed in claims 18, 24 and 30 above. Weiser further taught wherein the transmitter comprises:
a beacon transmitter that transmits wirelessly a beacon signal containing the web address for said Internet audio/video broadcast, wherein the beacon transmitter has a predetermined transmission range (col. 3, lines 39-45; col. 4, lines 57-60; col. 5, lines 13-25).

22. As per claims 22, 28 and 33, Weiser and Utsumi taught the invention substantially as claimed in claims 18, 24 and 30 above. Weiser further taught wherein the receiver comprises:
a beacon receiver that receives an external electronic transmission containing the web address for said Internet audio/video broadcast, and extracts the web address for said Internet audio/video broadcast from the transmission (col. 4, lines 57-60; col. 7, lines 13-17; col. 8, lines 30-34).

23. Claims 23, 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Utsumi in view of Wiener et al, U.S. Patent 6,701,317 (hereinafter Wiener).

24. Wiener was cited in the last office action.

25. As per claims 23, 29 and 34, Weiser and Utsumi taught the invention substantially as claimed in claims 18, 24 and 30 above. Weiser and Utsumi did not teach partitioning the storage area. Wiener taught wherein the storage is partitioned into a general storage area and a customized storage area that stores user-specified web addresses (col. 8, lines 47-col. 9, lines 5).

26. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Weiser, Utsumi and Wiener because Wiener's method of partitioning the storage area would increase the user flexibility of Weiser's and Utsumi's systems by allowing the user to store important web addresses (URLs) in different partitioned storage (col.8, lines 47-53).

27. Applicant's arguments with respect to claims 18-34, filed 08/11/04, have been fully considered but are not deemed to be persuasive and are moot in view of new grounds of rejection.

28. In the remark applicant argued that

- (1) neither Weiser in combination with Utsumi make obvious the features of claims 18, 24 and 30.

29. In response to point (1), Weiser taught the invention substantially as claimed for wirelessly interacting with an Internet appliance, said device comprising:

a receiver for wirelessly receiving digital information from a first Internet appliance (col.

4, lines 20-22, 57-60; col. 5, lines 15-25);

a memory for automatically storing said digital information received from said first Internet appliance (col. 5, lines 19-25); and

a transmitter for wirelessly providing said digital information to a second Internet appliance (col. 4, lines 20-22, 57-60; col. 5, lines 15-25).

30. Weiser did not specifically detailing types of digital information. Utsumi taught transmitting a web address (URL) for Internet broadcast television program (col. 5, lines 52-55; col. 7, lines 22-42). Utsumi further taught a preference control for organizing said portable device transfer of said web address for said Internet broadcast television program (comprised both audio and video broadcast) to said second Internet appliance in a selected order (col. 7, lines 37-42, 50-52).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Weiser and Utsumi because Utsumi's teaching of transmitting a web address would increase the user flexibility of Weiser's system by allowing

remote transmission of web address (URL) to an Internet television for accessing the Internet (col. 7, lines 22-31).

32. Weiser in combination with Utsumi made obvious the features of the claimed invention as in claim 18, 24 and 30.

CONCLUSION

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sass et al, U.S. Patent 6,769,028, disclosed a remote tuner for tuning into different channels and station.

34. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is

Application/Control Number: 09/770,556

Page 11

Art Unit: 2154

(571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee

December 29, 2004

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100